

SECOND REGULAR SESSION

# SENATE BILL NO. 1022

92ND GENERAL ASSEMBLY

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INTRODUCED BY SENATOR GROSS.

Read 1st time January 8, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

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## AN ACT

To repeal section 660.520, RSMo, and to enact in lieu thereof one new section relating to child pornography.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 660.520, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 660.520, to read as follows:

660.520. 1. There is hereby established in the department of social services a special team, to be known as the "state technical assistance team", to assist in cases of child abuse, child neglect, child sexual abuse, child exploitation, **child pornography**, or child fatality. It shall be the priority of the team to focus on those cases in which more than one report has been received. The director of [family services] **legal services** shall be held accountable for cases reported **to** and [filed with the division] **investigated by the team**. The team shall:

(1) Provide [training, expertise and assistance to county] **assistance, expertise, and training to child protection agencies and** multidisciplinary teams for the investigation and prosecution of child abuse, child neglect, child sexual abuse, child exploitation, **child pornography**, or child fatality cases;

(2) Assist in the investigation of child abuse, child neglect, child sexual abuse, child exploitation, **child pornography**, or child fatality cases, upon the request of a local, **county, state, or federal** law enforcement agency, **county, state, or federal** prosecutor, [division of family services staff,] a representative of the family courts, medical examiner, coroner [or], juvenile officer, **or department of social services staff**. Upon being requested to assist in an investigation, the state technical assistance team shall notify [all] **appropriate** parties specified in this subdivision of the team's involvement. Where assistance has been requested by a [local] law enforcement agency, state technical assistance team investigators certified as peace officers by the director of the department of public

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

safety pursuant to chapter 590, RSMo, shall be deemed to be peace officers within the jurisdiction of the requesting law enforcement agency, while acting at the request of the law enforcement agency. The power of arrest of a state technical assistance team investigator acting as a peace officer shall be limited to offenses involving child abuse, child neglect, child sexual abuse, child exploitation, **child pornography**, or child fatality;

(3) Assist county multidisciplinary teams to develop and implement protocols for the investigation and prosecution of child abuse, child neglect, child sexual abuse, child exploitation, **child pornography**, or child fatality cases.

2. The team may call upon the expertise of the office of the attorney general, the Missouri office of prosecution services, the [missing persons unit of the] state highway patrol, the department of health and senior services, the department of mental health, or any other agency **or institution**.

3. Each county may develop a multidisciplinary team for the purpose of determining the appropriate investigative and therapeutic action to be initiated on complaints referenced in subsection 1 of this section reported to the **children's** division [of family services]. The multidisciplinary team may include, but is not limited to, a prosecutor, or his or her representative, an investigator from the **children's** division [of family services], a physician, a representative from a mental health care services agency and a representative of the police agency of primary jurisdiction.

4. The division of [family services] **legal services state technical assistance team** shall provide training and assistance to county multidisciplinary teams and shall assist in the investigation of child abuse, child neglect, child sexual abuse, child exploitation, **child pornography**, or child fatality cases upon the request of local, **county, state, or federal** law enforcement agencies, [the] **a** local multidisciplinary team, or [the local prosecutor] **a prosecuting official**.

5. All reports and records made and maintained by the state technical assistance team or local law enforcement relating to criminal investigations conducted pursuant to this section, including arrests, shall be available in the same manner as law enforcement records, as set forth in sections 610.100 to 610.200, RSMo, and to the individuals identified in subdivision (13) of subsection 2 of section 210.150, RSMo. All other records shall be available in the same manner as provided for in section 210.150, RSMo.